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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,660	09/15/2000	Lawrence A. Booth JR.	42390P9139	3492

7590 03/23/2004  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
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EXAMINER

ZIMMERMAN, GLENN

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 03/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/662,660

Applicant(s)

BOOTH ET AL.

Examiner

Glenn Zimmerman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-11 is/are rejected.
- 7) ☒ Claim(s) 12-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the moth-eye-like shape, pyramid-like shape and the pillar-like shaped adjacent structures must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 235. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Information Disclosure Statement***

The information sent with the information disclosure statement has not been considered as it cannot be located. Please resend this information.

***Claim Rejections - 35 USC § 112***

Claims 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "the holographic film" in lines 3 and 4. There is insufficient antecedent basis for this limitation in the claim.

Claims 8-10 are rejected for depending from a rejected claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 11 is rejected under 35 U.S.C. 102(b) as being anticipated by Faykish et al. U.S. Patent 5,656,360.

Regarding claim 11, Faykish et. al. discloses a film layer for a display comprising: a holographic film (**holographic structured layer ref. 20**); the holographic film having a front and back side; the front side of the holographic film having adjacent structures formed therein to trap at least some incident light (**embossing; col. 3 line 10**).

***Allowable Subject Matter***

Claims 1-6 and 15-24 are allowed.

Claims 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 7 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Claims 8-10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Regarding claim 1, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a display including the combination of all the limitations as set forth in claim 1, and specifically an emissive pixel layer a holographic film layer including patches of holographic film having a front and back side, the front side of the holographic film patches facing the cover plate layer and adjacent structures formed thereon to trap at least some incident light therebetween, could not be found elsewhere in prior art.

Regarding claims 2-6, claims 2-6 are allowed for the reasons given in claim 1, because of their dependency status on claim 1.

Regarding claim 7, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a method of trapping including the combination of all the limitations as set forth in claim 7, and specifically reflecting the remaining scattered light incident on the front side of the holographic film in a manner so as to be again incident upon the front side of the holographic film which

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means all the remaining light has to hit this surface and none of it can be reflected out away by the holographic film could not be found elsewhere in prior art.

Regarding claims 8-10, claims 8-10 are allowed for the reasons given in claim 7, because of their dependency status on claim 7.

Regarding claim 12, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a film layer including the combination of all the limitations as set forth in claim 12, and specifically wherein the holographic film is positioned in a display so that at least some light reflected backward by the inside face of the cover plate is incident upon its front side could not be found elsewhere in prior art.

Regarding claim 13, claim 13 is allowed for the reasons given in claim 12, because of its dependency status on claim 12.

Regarding claim 14, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a film layer including the combination of all the limitations as set forth in claim 14, and specifically wherein the adjacent structures comprise at least one of the following: moth-eye-like shaped structures, pyramid-like shaped structures, and pillar-like shaped structures could not be found elsewhere in prior art.

Regarding claim 15, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests a method of trapping at least a portion of light including the combination of all the limitations as set forth in claim 15, and specifically reflecting the remaining incident light in a manner so as to be again

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incident upon the front side of the holographic film which means all the remaining light must be reflected to again be incident and none can be reflected out away from the surface could not be found elsewhere in prior art.

Regarding claims 16-19, claims 16-19 are allowed for the reasons given in claim 15, because of their dependency status on claim 15.

Regarding claim 20, the following is an examiner's statement of reasons for allowance: The prior art of record neither shows nor suggests an article including the combination of all the limitations as set forth in claim 20, and specifically a display screen with emissive pixels and having a structure so that at least some emitted light is transmitted into the ambient environment and so that at least some light propagating within a layer that includes emissive pixels is absorbed by one or more of the holographic film patches could not be found elsewhere in prior art.

Regarding claims 21-25, claims 21-25 are allowed for the reasons given in claim 20, because of their dependency status on claim 20.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn Zimmerman whose telephone number is (571) 272-2466. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Glenn Zimmerman



Vip Patel  
Primary Examiner  
Art Unit 2879